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Date: October 9, 2002By: Carol A. See

Carol A. See

PATENT
Docket No. GC527C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

D. A. Estell et al.

Serial No.: 09/677,822

Filed: October 2, 2000

For: Proteins Producing an Altered
Immunogenic Response and
Methods of Making and
Using the Same

Group Art Unit: 1644

Examiner: Saunders, D.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Restriction Requirement dated September 27, 2002, Applicants respectfully request that the following amendments be made. A clean version of the rewritten, added, and/or cancelled claims with instructions for entry pursuant to 37 C.F.R. §1.121 (c)(1)(i) is included beginning on page 2 of this communication. A marked-up version of the rewritten, added, and/or cancelled claims pursuant to 37 C.F.R. §1.121 (c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R. §1.121 (c)(3) as they would appear following entry of this amendment is attached as Appendix II. None of the amendments to the Claims is intended to narrow the scope of any of the amended Claims within the meaning of *Festo*¹.

¹ *Festo Corp. v. Shoketsu Kogyo Kabushiki Co.*, No. 95-1066, 2000 WL 1753646 (Fed. Cir. Nov. 29, 2000).